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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EARL FRONDA on behalf of himself, all others similarly situated, and the general public,

Case No.: 3:15-cv-02315-TSH

Plaintiff,

vs.

STAFFMARK HOLDINGS, INC., a Delaware Corporation; CEVA LOGISTICS, U.S., INC., a Delaware corporation; and DOES 1-50, inclusive,

JOINT STATUS REPORT REGARDING STATUS OF CLASS ACTION SETTLEMENT ADMINISTRATION

Defendants.

1 TO THE COURT, TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:

2 Plaintiff Earl Fronda (“Fronda”) and Defendants Staffmark Holdings, Inc. and CBS Personnel
 3 Services, LLC (“Defendants”) (Plaintiff and Defendants collectively hereinafter, the “Parties”) submit the
 4 following Joint Report regarding the current status of class settlement administration. As set forth in the
 5 concurrently filed Supplemental Declaration of Zachary Cooley re: Distribution of Settlement Funds,
 6 funds have been received and distributed as follows:

- 7 • On June 5, 2018, Defendants made payment to the Qualified Settlement Fund (“QSF”) in
 8 the amount of \$5,600,000.00. (Supp. Cooley Decl., ¶ 3.) On July 16, 2018, Defendants
 9 made payment to the QSF in the amount of \$240,093.30 to cover Employer Share of
 10 Taxes. (*Id.*)
- 11 • Pursuant to the Court’s Order, KCC Class Action Services, LLC (“KCC”) issued the
 12 following payments from the QSF: (a) \$1,866,666.67 representing Class Counsels’
 13 attorneys’ fees and costs; (b) \$5,000.00 representing the named plaintiff award; (c)
 14 \$75,000.00 to the California Labor and Workforce Development Agency; (d) class
 15 member settlement payments to 4405 class members totaling \$3,628,581.22 (gross of
 16 taxes); (e) \$24,750.00 to KCC representing its administration costs; and (f) \$240,093.30
 17 for the associated employer tax obligations. (Supp. Cooley Decl., ¶ 4.)
- 18 • As of September 26, 2018, 2,757 class members have cashed their checks totaling
 19 \$2,533,079.48 (net of taxes), and 1,648 class members have not cashed their checks
 20 totaling \$641,395.03 (net of taxes). (Supp. Cooley Decl., ¶ 5.) The 1,648 checks that have
 21 not yet been cashed carry a void date of February 4, 2019. (*Id.*)
- 22 • As required by the Settlement Agreement, KCC is required to send reminder postcards to
 23 Class Members who have yet to cash the Settlement Payment check after both 90 days and
 24 150 days from the initial date of distribution. (Supp. Cooley Decl., ¶ 6.) These mailings
 25 are scheduled to occur by November 6, 2018 and January 4, 2019 for the corresponding
 26 mailings. (*Id.*)

27 The Parties are not aware of any issues at this time. The pattern of check cashing appears typical
 28 in that class members with larger pro rata payments have cashed their checks, on average, faster than class

1 members receiving smaller pro rata payments. Approximately four-fifths of the net funds available to
2 class members have already been distributed.

3
4 Dated: September 27, 2018,

SETAREH LAW GROUP

5 By: /s/ H. Scott Leviant
6 Shaun Setareh
7 H. Scott Leviant¹

8 Attorneys for Plaintiff EARL FRONDA

9 Dated: September 27, 2018,

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

10 By: _____
11 Susan M. Steward
12 Barbara A. Van Ligten

13 Attorneys for Defendant STAFFMARK
14 HOLDINGS, INC. and CBS PERSONNEL
15 SERVICES, LLC

27
28 ¹ I hereby attest that the other signatories listed, on whose behalf the filing is submitted concur in the
filing's context and have authorized the filing.

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6 By: /s/ H. Scott Leviant

7 Shaun Setareh
H. Scott Leviant¹

8

9 Attorneys for Plaintiff EARL FRONDA

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ATKINSON, ANDELSON, LOYA, RUUD & ROMO

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13 By: Barbara A. Van Ligten

14 Susan M. Steward
Barbara A. Van Ligten

15

16 Attorneys for Defendant STAFFMARK
17 HOLDINGS, INC. and CBS PERSONNEL
18 SERVICES, LLC

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